

**CALENDAR ITEM
C37**

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S 8

12/16/02
W 25864
N. Smith

GENERAL LEASE - PUBLIC AGENCY USE

LESSEE:

City of Daly City
Attn: Mr. Joseph Brunner
333 90th Street
Daly City, California 94015-1895

AREA, LAND TYPE, AND LOCATION:

Sovereign lands along the Pacific Ocean just north of Mussel Rock, Daly City,
San Mateo County.

AUTHORIZED USE:

Existing rock revetment seawall approximately 1,500 feet long.

LEASE TERM:

Ten years, beginning November 25, 2002.

CONSIDERATION:

The public health and safety; with the State reserving the right at any time to set
a monetary rent if the Commission finds such action to be in the State's best
interest.

SPECIFIC LEASE PROVISIONS:

Liability insurance: Combined single limit coverage of \$5,000,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. The revetment was originally built at least thirty years ago and protects a
sanitary landfill, which was closed in 1978. The landfill site is under the

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regulatory oversight of the Regional Water Quality Control Board, which requires the City to maintain the soil cap and landfill containment. The closed landfill is located some 50 to 60 feet from the shoreline and is sealed with a soil cap with a minimum thickness of 3 to 4 feet. The site is owned by the City and managed as open space, with unrestricted public access along the shoreline. Pedestrian access to the site is available from a public parking lot located at the south end of the site at the end of Westline Drive and from Fort Funston, approximately ½-mile to the north at Avalon Drive.

3. On July 12, 2002, the California Coastal Commission (CCC) granted Permit # 2-02-011 for this project under its certified regulatory program (Title 14, California Code of Regulations, section 15251 (c)).
4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

California Coastal Commission and US Army Corps of Engineers.

EXHIBITS:

- A. Land Description
- B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

02/04/2003

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT AN ENVIRONMENTAL ANALYSIS DOCUMENT, CALIFORNIA COASTAL COMMISSION (CCC) PERMIT # 2-02-011, WAS ADOPTED FOR THIS PROJECT BY THE CCC UNDER ITS CERTIFIED PROGRAM (TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15251 (c)), AND THAT THE CALIFORNIA STATE LANDS COMMISSION HAS REVIEWED AND CONSIDERED THE

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INFORMATION THEREIN AND CONCURS IN THE CCC'S DETERMINATION.

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO THE CITY OF DALY CITY OF A GENERAL LEASE - PUBLIC AGENCY USE, BEGINNING NOVEMBER 25, 2002, FOR A TERM OF TEN YEARS, FOR EXISTING ROCK REVETMENT APPROXIMATELY 1,500 FEET LONG ON THE LAND DESCRIBED ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION SHALL BE THE PUBLIC HEALTH AND SAFETY WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENT IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$5,000,000.